

THE CITY OF DURHAM TRUST

Web site: <http://www.DurhamCity.org>

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25 November 2025

Clare Walton
Durham County Council
Planning Department
PO Box 274
Stanley
County Durham
DH8 1HG

Dear Ms Walton,

DM/25/02965/VOC - 12 The Hallgarth Durham DH1 3BJ

Application to vary Condition 2 (Approved Plans) to amend the internal layout of the dwelling and Condition 4 (Bedroom Restriction) to allow subdivision of the ground floor to create an additional bedroom bringing the total number from four to five pursuant to planning permission DM/23/02118/FPA

The City of Durham Trust considered this application at its meeting on 18 November 2025 and agreed to object to it based on failure to comply with Appeal Decision APP/X1355/W/24/3337793 and CDP Policy 29 (Sustainable Design).

The Appeal Decision referred to above was brought about by the non-determination of application DM/23/02118/FPA which sought to convert the subject property from C3 to C4 use. The Appeal duly allowed C4 use but imposed a very specific restriction limiting the extent of that use, namely Condition 4: *“The development hereby permitted shall not be subject to further works or internal room subdivisions that would result in the property containing more than four (4) bedrooms”*. In seeking to carry out the proposed sub-division works to create a further, fifth, bedroom, the current application runs absolutely counter to the Planning Inspector’s decision and should be refused on this basis alone.

Additionally, Policy 29 of the County Durham Plan requires all development proposals to achieve well designed buildings and places having regard to supplementary planning documents. In that respect, the Housing Needs SPD (2025) states in relation to Class C4 Houses in Multiple Occupation that *“where there is no increase in the number of residential units, then whilst the NDSS could not be applied it would be a guide to best practice”*. The NDSS requires gross internal floor areas of 97m² for a 4-bedroom 5-person 2-storey property and 110m² for a 5-bedroom 6-person property. An interpolated requirement for a 5-person 5-bedroom property would therefore fall somewhere in the mid-range (i.e. some 103m²); however, the GIA of the property measures only 84m² – a significant 13% below even the lower requirement. There can be little doubt that the proposals fall well short of best practice and represent overdevelopment of the property. As a result they fail to provide the well-designed building with high standards of amenity required by the Policy.

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Also of relevance to Policy 29 is the Parking and Accessibility SPD (2023). This sets out a requirement for 3 in-curtilage car parking spaces for a 5-bedroom property together with secure cycle storage facilities. However, the property has no in-curtilage parking space available but rather shares with the other 4 properties in its block a total of 6 generic spaces within the immediate vicinity.

The applicant will doubtless argue that students do not have cars, but a recent response by the University (in relation to another application for student accommodation) notes: “*Students bring vehicles to Durham for a range of reasons connected to their engagement with University life. These include accessibility needs related to disability, academic placements outside Durham, participation in elite sporting programmes, as well as to assist with personal circumstances such as childcare responsibilities, employment commitments, and travel for shopping or other social activities*”.

It should also be remembered that C4 use is not limited to occupation by students, meaning that multiple occupants of the property may well have cars. The existing numbers in the property already place an unacceptable strain on the available parking provision but the addition of a further occupant makes the situation worse. Finally, neither the original nor current application makes any provision at all for external covered, secure cycle storage, and the over-dense nature of the proposed accommodation means that it would not be possible to store any cycles internally. Once again, the application manifestly fails to comply with the requirements of Policy 29.

In summary, the Trust believes that this application flouts the unequivocal Planning position established by the Appeal judgement and also fails on several counts to comply with CDP Policy 29.

Accordingly, we ask the Authority to refuse this application.

Yours sincerely,

JOHN LOWE

Chair, City of Durham Trust
Celebrating, protecting, and enhancing the City of Durham